

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
CORPUS CHRISTI DIVISION

GENERAL ELECTRIC COMPANY,

*Plaintiff,*

v.

MITSUBISHI HEAVY INDUSTRIES,  
LTD., MITSUBISHI HEAVY  
INDUSTRIES AMERICA, INC., and  
MITSUBISHI POWER SYSTEMS  
AMERICAS, INC.,

*Defendants.*

Civil Action No. 2:09-CV-00229

JUDGE HAYDEN HEAD

**Jury Trial Demanded**

**JOINT STATUS REPORT**

In response to this Court's July 2, 2010, Order (Dkt. # 15), Plaintiff General Electric Company ("GE") and Defendants Mitsubishi Heavy Industries, Ltd., Mitsubishi Heavy Industries America, Inc., and Mitsubishi Power Systems Americas, Inc. (collectively, "Mitsubishi") respectfully submit this Status Report.

**Case Status**

This case is stayed pursuant to 28 U.S.C. § 1659 pending a final determination of the United States International Trade Commission ("ITC") in *In re Certain Variable Speed Wind Turbines and Components Thereof*, ITC Inv. No. 337-TA-641. See Dkt. # 10.

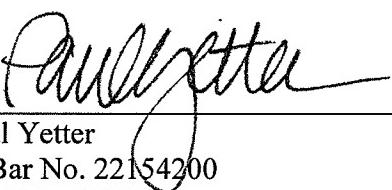
On January 8, 2010, the ITC issued its Final Determination in the matter, and on March 2, 2010, GE filed an appeal of the Final Determination before the U. S. Court of Appeals for the Federal Circuit ("CAFC"). Mitsubishi intervened in the appeal. GE filed its principal brief on

June 11, 2010, and Mitsubishi's response is due on July 26, 2010. The CAFC has not set a date for oral argument at this time.

**Related Action Initiated by Mitsubishi**

On May 20, 2010, Mitsubishi filed a complaint against GE in the U. S. District Court for the Western District of Arkansas alleging that GE has violated antitrust and other laws by improperly obtaining and enforcing five patents—including the three asserted in this case. *Mitsubishi Heavy Indus., Ltd v. General Electric Co.*, Civil Action No. 5:10-cv-05087-HFB (W.D. Ark. 2010). As part of its allegations in Arkansas, Mitsubishi alleged—as in this case—that GE's '039, '985 and '221 Patents are invalid or unenforceable. *See* Dkt. ## 5, 6.

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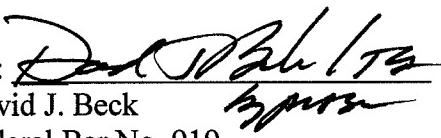
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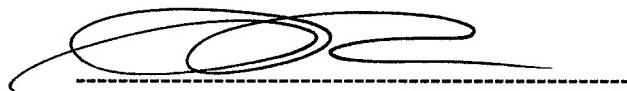
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**Certificate of Service**

I certify that this pleading was filed electronically with the Court, and this served simultaneously upon counsel for all parties, this 15<sup>th</sup> day of July 2010.



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